## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION

COLONEL, et al.,		
Plaintiff,		
v.		CASE NO. 8:22-cv-1277-SDM-TGW
LLOYD J, AUSTIN, III, et al.,		
Defendants.	/	

## <u>ORDER</u>

In the original action, *Navy Seal 1 v. Austin*, No. 8:21-cv-2429, service members in each branch of the military pursued, among other claims, injunctive relief under the Religious Freedom Restoration Act. A June 2, 2022 order (Doc.194) severs the original action by branch and stays this action (the Army Action) in the absence of a plaintiff for whom venue is proper in the Middle District of Florida.

In an exhibit (Doc. 191-1), the plaintiffs concede that no plaintiff in this action resides in the Middle District of Florida, and no allegation in the complaint presents another basis for venue. Although more than thirty days have elapsed after the severance of the original action, neither a motion to amend the complaint to cure the

improper venue nor a motion to transfer the action to a proper venue appears. Accordingly, the action is **DISMISSED WITHOUT PREJUDICE** for improper venue. The clerk must close the case.

ORDERED in Tampa, Florida, on July 5, 2022.

STEVEN D. MERRYDAY UNITED STATES DISTRICT JUDGE

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